

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Shahid Abdu Samad,)	C/A No. 8:12-3486-JFA-JDA
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Carolyn W. Colvin,)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	

This is an action brought by the plaintiff pursuant to sections 405(g) and 1383(c)(3) of the Social Security Act, as amended, to obtain judicial review of the final decision of the Commissioner of the Social Security Administration (“Commissioner”) denying his claims for Supplemental Security Income.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation wherein she suggests that the Commissioner’s decision should be reversed and remanded for administrative action. Specifically, the Magistrate Judge opines that remand is required so that a Vocational Expert (VE) can be called to address proper hypotheticals which include all of the plaintiff’s impairments.

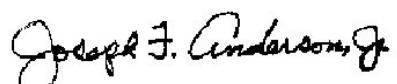
¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

The parties were advised of their right to file objections to the Report and Recommendation. The Commissioner filed a notice with the Clerk indicating that she would not be filing objections to the Report which recommends remand. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After a careful review of the record, the court finds that the Magistrate Judge's Report provides an accurate summary of the facts in the instant case and that the conclusions are proper. Thus, the Magistrate Judge's findings are hereby specifically incorporated herein by reference.

Accordingly, the Commissioner's decision is reversed pursuant to sentence four of 42 U.S.C. § 405(g), and this action is remanded to the Commissioner for further proceedings as stated herein and in the Magistrate Judge's Report.

IT IS SO ORDERED.



February 24, 2014
Columbia, South Carolina

Joseph F. Anderson, Jr.
United States District Judge